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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,602	09/21/2001	Philip C. Lausier	4940/1G	5669
33690	7590	03/30/2006	EXAMINER	
DAVID LOEWENSTEIN			LE, HIEU C	
802 KING ST.			ART UNIT	
RYE BROOK, NY 10573			PAPER NUMBER	
			2142	
DATE MAILED: 03/30/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,602

Applicant(s)

LAUSIER, PHILIP C.

Examiner

Hieu c. Le

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 7 is/are allowed. *AC*
- 6) ☒ Claim(s) 1-4, 6-9 is/are rejected. *AC*
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/28/05; 1/25/06
2/23/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/28/05 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.98(o). Figure 7 because it does not have suitable descriptive legends. The figure does not label the public VLAN and the private VLAN. Nor does the figure show load balancer.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. Cross References need to be updated.

Under cross references to related applications, the co-pending applications needs to be identified by serial number and filing date. Their statuses need to be updated as appropriate.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2142

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "the computer" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the computer" in line 3, "a computer", on line 10, "the computer" in line 12. It is not clear whether these computers are the same computer of different computers.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 & 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al.(US. App. Pub. 2001/0003846) in view of Lahr et al (US. App.Pub 2001/0029525).

As to claim 6, Rowe discloses an edge node that receives content(Fig. 13 A, NOC 300) from a Network Operation Center (NOC) via a satellite link and displays it, the edge node comprising:

a processor to serve both live or non live content to respond to requests from an Internet Redirection Engine (IRE), the IRE for directing content requested by end user to the edge node, to process incoming data packages and to execute commands from NOC [The RCON (edge node) edit, integrate create and control an distribute content pag. 4, [0029] lines 7-16. (i.e. the RCON is processing the received content from the NOC and it should have a processor, the RCON servers video and audio, live current and from playback (non live) (col. 6, [0060]), The Noc uses an IP based protocol to send information and content requested by viewers to the RCON's (pag. 12, [0128], [00130], the RCON receives only specific material in question (requested content) that destined for a specific Pc (requesting viewer) (pag. 14, [0164]). i.e , an IRE at the NOC is directing the requested content from NOC to RCON (end node) for distribution to end user, the RCON processes the content and execute commands from the NOC (pag. 13, [0137], lines 11-17).

a satellite interface, connected to the processor, that receives the content from the satellite link (Fig. 13 A, TURO is a satellite interface) and

a display interface, connected to the processor [As show in fig. 15, and recited in pag. 4, [0029] a display is connected to the RCON (the end node) with a graphical user interface to enable an operator to edit, create integrate the content].

Rowe does not disclose a terrestrial network interface connected to the processor to communicate with the NOC via a terrestrial back channel.

Lahr discloses a broadcast system for streaming media where an NOC broadcasts live and on demand (non live) content to several end nodes (Fig. 2, items

14,16,18) in a hierarchical distribution network 12 to distribute it to the end users 20 (Fig. 2, [0023]). The end nodes are connected to the NOC via an ATM network (terrestrial network) (Fig.2, [0022]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Lahr's teachings to modify the method of Rowe by using a terrestrial network interface connected to the processor to communicate with the NOC via a terrestrial back channel in order to provide redirect the client from which a request for content originated to a server that can serve the request.

As to claim 8, refer to claim 6 rejection. A computer is obvious in view of a CPU that processes the content in the end nodes of both Rowe and Lahr. Also a portable computer is obvious in view of Rowe's disclosure of satellite connect between the RNOC (end node) and the user's computer (fig. 13 B).

As to claim 9, Rowe further discloses wherein the IRE is located at NOC [the RCON receives only specific material in question (requested content) that destined for a specific PC (requesting viewer) (pag. 14, [0164]). i.e., an IRE at the NOC is directing the requested content from NOC to RCON (end node) from distribution to end user].

Indicating Allowable Subject Matter

Claims 1-5, 7, are allowed.

The present invention relates to a method and system for delivering multimedia data to Internet users at high bandwidths using a satellite communication links.

The interconnections and interactions between the different components recites in the claim 1 "an outbound router, connected with the load balancer to form a public

Art Unit: 2142

VLAN and further connected to the media servers, to transmits the content from the media servers to the computer and to communicate with the NOC and a firewall connecting the private and public VLANS", and using a private Virtual Local Area Network VLAN to receive content directed to the edge node by an Internet Redirection Engine at the NOC in response to an end user's request from over a satellite broadcast link," using a public VLAN to transmit the received content from the media servers to a computer with an attached display screen and to communicate with the NOC and displaying the transmitted content using the computer with an attached display screen" in claim 7. The Rowe et al.(US. App. Pub. 2001/0003846) and Lahr et al (US. App.Pub 2001/0029525) therefore do not teach or suggest the invention of the claimed.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (571) 272-3897. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Caldwell Andrew, can be reached on (571) 272-3868. The fax phone number for this Group is (571)-273-3897.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 273-8300.

Hieu Le



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER